(30)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (C) No. 7546 of 2007

Petitioner		Adim Jati Seva Sahakari Samiti Maryadit, Sewari Through : Jaiprakash Gupta S/o. Doman Sao, aged about : 36 years R/o : Village : Lodhi, Tahsil : Kusmi District : Surguja (C.G.)
	Versus-	
Respondents	1.	State of Chhattisgarh, Through : Secretary, Consumer Affairs, Public Distribution Scheme, D.K.S. Bhawan, Raipur (C.G.)
	2.	Collector, Ambikapur, Distt. Surguja (C.G.)
	3.	Sub Divisional Officer (Revenue) Kusmi, District : Surguja (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

SB: Hon'ble Shri **Satish K. Agnihotri, J.**

Dr. Seema Saggar, Advocate for the petitioner.

Shri Sumesh Bajaj, Govt. Advocate for the respondents.

ORAL ORDER

(Passed on this 20th day of December, 2007)

1. Learned counsel appearing for the petitioner submits that the petitioner is a society registered under the Society Registratrikaran Adhiniyam. The petitioner was granted licence to run fair price shop at village Lodhi, Tahsil Kusmi, District Surguja on 15.4.2005 (Annexure P/2). Learned counsel further submits that the petitioner has been declined allotment of food stuffs.

2. Shri Sumesh Bajaj, learned Govt. Advocate appearing for the respondents/State submits that Clause 18 of the Chhattisgarh Public Distribution System (Control) Order, 2004 provides for appeal. The petitioner without availing the remedy of the statutory appeal has rushed to this Court.

(31)

3. On query, the petitioner has failed to submit asto what is the exceptional circumstance, which makes the petitioner to rush to this Court under Article 226 of the Constitution of India without availing the alternative remedy.

4. The petition is accordingly dismissed as not maintainable. However, the petitioner is at liberty to take recourse to any other statutory alternative remedy that may be available to the petitioner.

Sd/-
Satish K. Agnihotri
Judge

Thakur